

VIA TELEFACSIMILE TO: 703-308-6916

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Sah *et al.*

Application No.: 09/060,409

Group Art Unit: 1632

Filed: April 14, 1996

Examiner: Baker, A.-M.

For: PNS CELL LINES AND METHODS Attorney Docket No.: 10624-008-999
OF USE THEREFOR

**PETITION UNDER 37 C.F.R. §1.137(b) FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY**

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

FAX RECEIVED

JAN 10 2002

Sir:

PETITIONS OFFICE

On December 5, 2001, Applicants timely filed an Amendment and Response under 37 C.F.R. § 1.116, accompanied by a Petition for Extension of Time extending the period for responding by three months from September 5, 2001 to and including Wednesday, December 5, 2001, in response to a final Office Action dated June 5, 2001. Applicants believe the Amendment and Response put the Application in condition for allowance (indeed, the Application contained allowable subject matter prior to the filing of the Response). Applicants, however, inadvertently and unintentionally failed to timely file a Notice of Appeal together with the Amendment. Applicants hereby petition for revival of the above-identified patent application which may have become unintentionally abandoned on December 6, 2001.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on December 7, 2001 to facsimile telephone number (703) 308-6916.

By: Lawrence S. Graham Reg. No. 49,020

Anthony M. Insogna

Anthony M. Insogna

35,203

(Reg. No.)

Applicants submit concurrently herewith the inadvertently omitted Notice of Appeal. A copy of the Amendment and Response and Petition for Extension of Time, filed December 5, 2001, is attached as well.

This petition is being filed to avoid the issuance of a Notice of Abandonment, and to revive the Application if necessary. The entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 C.F.R. § 1.137(b) was unintentional. Applicants note that this petition is being submitted within three months from the date Applicants were first aware that the above-identified application had become abandoned. No terminal disclaimer is required because the application was filed after June 8, 1995.

Applicants respectfully request that this Petition to Revive the unintentionally abandoned application be granted.

Pursuant to 37 C.F.R. § 1.137(b)(2) and § 1.17(m), it is estimated that a petition fee of \$640.00 (small entity) is due for filing this Petition. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

By: Lawrence S. Graham Reg. No. 49,020
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Anthony M. Insogna (Reg. No.)

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Enclosures